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61

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated this the 18th day of June 1998

B E F O R E

THE HON'BLE MR. JUSTICE CHANDRASHEKARAI AH

WRIT PETITION No.18959/1997

BETWEEN :

1. Dinesh Shah, 61 years,
S/o. Late Harilal,
No.11, Miller Tank Bund Road,
or 3/8, Kaveriappa layout,
Bangalore - 52.
2. Mahabool Khan,
S/o. Masoom Khan,
aged 48 years,
26, Miller Tank Bund Road,
Kaveriappa Layout,
Bangalore - 52.
3. M.R. Patel, 64 years,
S/o. late R.M. Patel,
25, Kaveriappa Layout,
Bangalore - 52.
4. Syed Ejaz Pasha,
S/o. Syed Ibrahim,
aged 44 years,
No.22, Kaveriappa Layout,
Miller Tank Bund Road,
Bangalore - 52.
5. G.A. Shanmugam, 65 years,
S/o. late G. Amolam Pillai,
No.3/21, Kaveriappa Layout,
Miller Tank Bund Road,
Bangalore - 52.

6. Anwar Noor Mohammad,
S/o. D. Noor Mohammad,
aged 54 years,
No.18, Kaveriappa Layout,
Miller Tank Bund Road,
Bangalore - 52.
7. Mrs. Yasmeen, X. Patel,
W/o. Xerxes J. Patel,
41, Kaveriappa Layout,
M.T.B. Road, Bangalore-52.
8. M.G. Muthappa, 57 years,
S/o. Ganapathi,
29, Kaveriappa Layout,
M.T.B. Road, Bangalore-52.
9. Mr. R. Srinivasan,
S/o. Late K.R. Ramachandra,
aged 69 years,
15, Kaveriappa Layout,
M.T.B. Road, Bangalore-52.
10. Mrs. Vasantha Venugopal,
W/o. late Dr. B. Venugopal,
aged 73 years,
39, Kaveriappa Layout,
M.T.B. Road, Bangalore-52. .. PETITIONERS

(By Sri. Mohandas N. Hegde, Adv.)

MND :

1. M.V. Prakash, 46 years,
S/o. M. Visveswaraiah,
152, Gavipuram Guttahalli,
Bangalore - 19.
2. Bangalore Development Authority,
Sankey Road, Bangalore-20,
by its Commissioner.
3. Bangalore City Corporation,
Bangalore - 2,
By its Commissioner. .. RESPONDENTS

(By Sri. B.N. Dayananda for C/R-1,
Sri. R.S. Hegde for R2,
Sri. Ashok Haranahalli for R3)

69

This Writ Petition is filed under Article 226 of the Constitution of India with a prayer direct the RL not to start any commercial activities bearing No.37, Kaveriappa Layout, Bangalore and etc.,

This petition coming on for prl. hg. 'B' Group this day, the Court made the following:

O R D E R

The petitioners are the residents of Kaveriappa Layout, Miller Tank Bund Road, Bangalore. The grievance of the petitioners is that they have given a complaint on 16.10.1996 alleging that the first respondent is making an attempt to use the residential houses for non-residential purpose. In this regard though a complaint is ^{lodged} ~~lodged~~, the Corporation is ^{has not taken} ~~not taking~~ any steps to consider and dispose of the same. Whenever a complaint is filed alleging illegal use of the premises the Corporation is duty bound to consider and dispose of the same in accordance with law.

2. In the result I pass the following order:

This Writ Petition is allowed. A direction is

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70

is issued to the respondent-3 to consider and dispose of the representation/complaint given by the petitioners to the 3rd respondent on 16.10.1996 as per Annexure-A ~~and dispose of the case~~ after due notice to the persons interested.

Sd/-
JUDGE

CS/-

